

12/05/00



12/05/00 U.S. PTO

December 5, 2000

JC966 U.S. PTO  
09/729226  
12/05/00

Hon. Assistant Commissioner for Patents  
Box Patent Appln  
Washington, D.C. 20231

Re: New Nonprovisional Continuation, Division or Continuation-In-Part  
Patent Application under 37 CFR §1.53(b) in U.S.  
Applicant(s): TAYLOR-PAPADIMITRIOU, et al.  
Title: ANTIGENS DERIVED FROM THE CORE PROTEIN OF THE HUMAN  
MAMMARY EPITHELIAL MUCIN  
Atty's Docket: TAYLOR=1F

Sir:

1. ☒ The present nonprovisional application is a ☐ Continuation  
☒ Divisional ☐ Continuation-in-part of prior application No.  
08/456,919. This application is not a CPA. The prior  
application is not being abandoned in favor of this application.  
☒ Incorporation By Reference. The entire disclosure of the prior  
application, from which a copy of the oath or declaration is  
supplied herewith, is considered as being part of the disclosure  
of the accompanying application and is hereby incorporated by  
reference therein.
2. Attached herewith is the above-identified nonprovisional application  
under 37 CFR §1.53(b) for Letters Patent including:
  - ☒ Specification (59 pages), claims (3 pages) and abstract (1 page).  
The ☒ specification is a copy of the substitute specification  
filed in prior application no. 08/456,919. The claims and  
abstract are new.
  - ☒ 16 Sheets Drawings (Figures 1-13).
    - ☒ Formal ☐ Informal
    - ☒ Figs. 1-13 of the drawings are copies, as properly mounted  
fulltone prints on photographic paper, of those filed in prior  
application no. 08/456,919 on December 5, 2000.
    - ☐ Figs. \_\_\_\_\_ of the drawings are new.
  - ☒ Declaration and Power of Attorney (2 pages)
    - ☐ Newly executed ☒ Copy from prior application.
  - ☐ Preliminary Amendment
  - ☐ Supplemental Preliminary Amendment
  - ☐ Information Disclosure Statement with ( ) references
  - ☒ PTO-1449 or PTO-892 forms from prior application(s)
  - ☐ A verified statement to establish small entity status under 37  
CFR §1.9 and 37 CFR §1.27
  - ☐ A verified statement claiming small entity status was filed on  
\_\_\_\_\_ in prior application no. \_\_\_\_\_. Status is still  
proper and desired.

If no declaration is attached, or the basic filing fee is not paid,  
accord this application a filing date, and notify counsel pursuant to 37 CFR  
§1.53(f).

[X] Credit Card Payment Form, PTO-2038, authorizing payment in the amount of 710.00 is attached to cover:

[X] The filing fee calculated as follows:

CLAIMS AS FILED				
FOR	NUMBER FILED	NUMBER EXTRA	RATE	BASIC FEE \$ 710.00
TOTAL CLAIMS	10 - 20=	0	x 18	0
INDEPENDENT CLAIMS	3 - 3=	0	x 80	0
[ ] Multiple Dependent Claim Presented			x270	
[ ] Reduction of 1/2 for small entity				- \$
			TOTAL FILING FEE	\$ 710.00

[ ] Any additional fee required by the filing of an enclosed preliminary or supplemental preliminary amendment has been calculated as shown below:

	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	CALCULATION
TOTAL	*	MINUS	**	=	x \$ 18.00	\$
INDEP	*	MINUS	***	=	x \$ 80.00	\$
[ ] Multiple Dependent Claim Presented					x \$270.00	\$
Total of Above Calculations =						\$
Reduction by 1/2 for filing by small entity						- \$
Total Additional Fee =						\$

[ ] \_\_\_\_\_  
[X] Return Receipt Postcard (in duplicate)

3. The following inventor(s) were named in the prior application:

FULL NAME OF INVENTOR	FAMILY NAME TAYLOR-PAPADIMITRIOU	FIRST NAME GIVEN Joyce	SECOND NAME GIVEN
RESIDENCE & CITIZENSHIP	CITY Berkhamsted	STATE OR COUNTRY England	CITIZEN OF United Kingdom
POST OFFICE ADDRESS	POST OFFICE ADDRESS 9, Cedar Road	CITY Berkhamsted	ST. & ZIP/COUNTRY Hertfordshire, England
FULL NAME OF 2ND INVENTOR	FAMILY NAME GENDLER	FIRST NAME GIVEN Sandra	SECOND NAME GIVEN
RESIDENCE & CITIZENSHIP	CITY London	STATE OR COUNTRY England	CITIZEN OF United States of America
POST OFFICE ADDRESS	POST OFFICE ADDRESS 20, St. James Mansions	CITY London	ST. & ZIP/COUNTRY England
FULL NAME OF 3RD INVENTOR	FAMILY NAME BURCHELL	FIRST NAME GIVEN Joy	SECOND NAME GIVEN
RESIDENCE & CITIZENSHIP	CITY Uckfield	STATE OR COUNTRY England	CITIZEN OF United Kingdom
POST OFFICE ADDRESS	POST OFFICE ADDRESS 4, White Cottages	CITY Uckfield	ST. & ZIP/COUNTRY East Sussex, England
FULL NAME OF 4TH INVENTOR	FAMILY NAME	FIRST NAME GIVEN	SECOND NAME GIVEN
RESIDENCE & CITIZENSHIP	CITY	STATE OR COUNTRY	CITIZEN OF
POST OFFICE ADDRESS	POST OFFICE ADDRESS	CITY	ST. & ZIP/COUNTRY

(The latest inventor signed §1.63 Declaration in the parent application or its predecessors is hereby incorporated by reference. In the event of discrepancy between the Declaration and the list above, the Declaration controls and the list above is amended accordingly.)

☒ [XX] The inventors of the present application are the same as those on the prior application.

☐ [ ] Please delete the following inventors who were named on the prior application, but are not inventors of the invention being claimed in the present application: \_\_\_\_\_

[ ] The following additional inventors are to be named on the instant application: \_\_\_\_\_

4. [X] The benefit under 35 USC §119 is claimed of the filing date of: Application No. 8700269 in Great Britain on January 7, 1987. A certified copy of said priority document was filed in progenitor case 07/041,306 on April 18, 1988.  
Application No. 8700279 in Great Britain on January 7, 1987. A certified copy of said priority document was filed in progenitor case 07/041,306 on April 18, 1988.  
Application No. 8726172 in Great Britain on November 9, 1987. A certified copy of said priority document was filed in progenitor case 07/041,306 on April 18, 1988.
5. [X] Amend the specification by inserting before the first line the sentence:  
--This is a division of copending parent application Serial No. 08/456,919 filed June 1, 1995, which is a division of U.S. Serial No. 08/134,992, filed October 12, 1993, now abandoned, which is a continuation of U.S. Serial No. 07/381,663, filed September 7, 1989, now abandoned, which is the national stage of PCT/GB88/00011, filed January 7, 1988, now abandoned, which is a continuation-in-part of U.S. Serial No. 07/041,306, filed April 22, 1987, now abandoned, all hereby incorporated by reference. It is related to 08/457,485, filed June 1, 1995, which is a division of 08/134,992 above.--
6. [X] Certain documents were previously cited or submitted to the Patent and Trademark Office in the following prior application 08/456,919, which is relied upon under 35 USC §120. Applicants identify these documents by attaching hereto one or more form PTO-1449 and/or form PTO-892 listing these documents, and request that they be considered and made of record in accordance with 37 CFR §1.98(d). Per 37 CFR §1.98(d), copies of these documents need not be filed in this application.

While an IDS filed under §1.97 must contain a "list of all patents, publications or other information submitted for consideration by the Office", see §1.98(a)(1), the only requirement for the list is that it provide the information set forth in §1.98(b). There is no requirement that a form PTO-1449 be used (MPEP §609 merely says that use of this form is "encouraged") and no prohibition on submitting a copy of a form PTO-1449 or form PTO-892 from a prior case. Indeed, the re-use of such forms is desirable as it avoids error in transferring the information, and evidences that the reference was considered in a prior application. A previously accepted PTO-1449, or an examiner-prepared PTO892, necessarily complies with §1.98(b).

7. If reliance is made on a declaration filed in a prior application, then  
[ ] The undersigned attorney of record hereby revokes the powers of attorney of:

___ G. KEVIN TOWNSEND, Reg. No. 34,033	___ JOHN E. TARCZA, Reg. No. 33,638
___ JEROME J. NORRIS, Reg. No. 24,696	___ RONALD R. SNIDER, Reg. No. 24,962
___ TERRELL P. LEWIS, Reg. No. 29,227	___ SANDY LIVNAT, Reg. No. 33,449
___ BARRY A. EDELBERG, Reg. No. 31,012	___ THERESA BANTA, Reg. No. 34,543
___ ROBERT K. CARPENTER, Reg. No. 34,794	___ WM. D. JOHNSTON, Reg. No. 27,806

- [ ] The undersigned attorney of record hereby appoints associate power of attorney, to prosecute this application and to transact all business in the Patent and Trademark Office in connection therewith to:

\_\_\_ IVER P. COOPER, Reg. No. 28,005 \_\_\_ NORMAN J. LATKER, Reg. No. 19,963  
\_\_\_ \*ALLEN C. YUN, Reg. No. 37,971 \_\_\_ \*NICK S. BROMER, Reg. No. 33,478  
(\* Patent Agent)

8. [X] The Commissioner is hereby authorized to charge payment of the following additional fees associated with this communication or credit any overpayments to Deposit Account No. 02-4035:  
[X] Any additional filing fees required under 37 CFR §1.16.  
[X] Any patent application processing fees under 37 CFR §1.17.

- [X] The Commissioner is hereby authorized to charge payment of the following fees, based on any paper filed during the pendency of this application or any CPA thereof, to effect any amendment, petition, or other action requested in said paper or credit any overpayments to Deposit Account No. 02-4035:

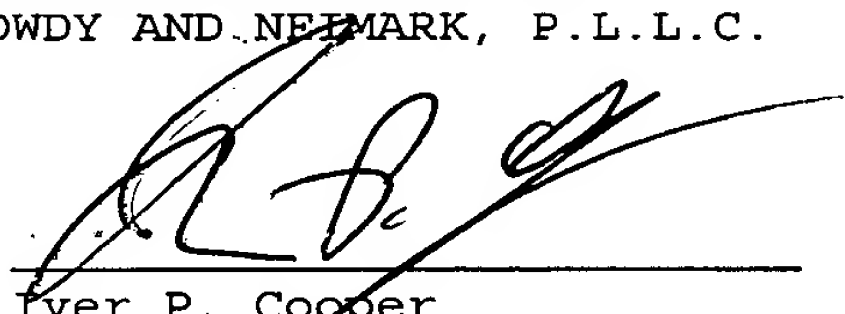
[X] Any patent application processing fees under 37 CFR §1.17.  
[ ] The issue fee set in 37 CFR §1.18 at or before mailing the Notice of Allowance, pursuant to 37 CFR §1.311(b).  
[X] Any filing fees under 37 CFR §1.16 for presentation of extra claims.  
[X] If a paper is untimely filed in this or any CPA thereof by Applicant(s), the Commissioner is hereby petitioned under 37 CFR. §1.136(a) for the minimum extension of time required to make said paper timely. In the event a petition for extension of time is made under the provisions of this paragraph, the Commissioner is hereby requested to charge any fee required under 37 CFR §1.17 to Deposit Account 02-4035.

[X] The Commissioner is hereby authorized to credit any overpayment of fees accompanying this paper to Deposit Account No. 02-4035.

9. While this application is a division of 08/456,919, its subject matter is most closely related to that examined in 08/457,485.

10. Please direct all correspondence in this case to the address associated with Customer Number 001444, which is presently the address set forth below.

Respectfully submitted,  
BROWDY AND NEWMARK, P.L.L.C.

By:   
Iver P. Cooper  
Registration No. 28,005  
Filed under 37 CFR 1.34(a)

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